

Agricultural Marketing Service
Office of the Deputy Administrator for Marketing Programs
Fruit and Vegetable Programs
P.A.C.A. Branch
Regional Office
GS-1146-9 (Mediator/Investigator)
Fruit and Vegetable Marketing Specialist (Regulatory)

Standard Job FV59

I. INTRODUCTION

The Branch administers the Perishable Agricultural Commodities Act (PACA), which prohibits unfair trade practices in the marketing of fresh and frozen fruits and vegetables in interstate or foreign commerce, and the Produce Agency Act (PAA). The position is located in a regional office of the Branch.

The incumbent serves as a Fruit and Vegetable Marketing Specialist responsible for handling complaint, license, and trust matters originating under the PACA, and complaint matters originating under the PAA.

II. DUTIES AND RESPONSIBILITIES

Handles contractual disputes involved in moderately difficult reparation complaints through correspondence or personal contact with the parties involved. Gathers pertinent data and information pertaining to the complaint. Makes use of alternative dispute resolution techniques to resolve disputed reparation cases whenever possible.

Conducts moderately difficult personal investigations and audits of businesses to verify accounts of sales, evaluate financial status of fruit and vegetable traders, and examine books and records of produce dealers for the purpose of determining whether the business is of a nature and done in sufficient volume to require a license. Reviews operations of packers, dealers, and marketing agencies to ensure that they are in compliance with the licensing, bonding, and employment provisions of the Act. Prepares written analysis of results of audits and findings of investigations.

Travels as a team member with other Marketing Specialists throughout the United States for the purpose of assisting them in conducting complex investigations under the above mentioned Acts. Assembles evidence for use in administrative or court proceedings.

Personal investigations generally require overnight travel within the regional office boundaries and at times to other parts of the country for periods of one to three weeks. Overall travel may range between 20 to 35 percent of the time.

Updates the Branch database with information and activities related to complaint, license, violator, and administrative matters.

Provides counseling service to industry members who make telephone inquiries

regarding information, or advice concerning their rights and responsibilities under the various Acts.

Appears as official government witness at administrative hearings and court proceedings involving actions brought under the PACA.

Incumbent is in regular contact with members of the produce industry and others involved in marketing of fruits and vegetables to acquaint them with the licensing requirements of the PACA and to accept applications for license.

Adheres to Equal Employment and Civil Rights policies, goals, and objectives in performing the duties of this position. Assures that written and oral communications are bias-free and that differences of others employees and clients are respected and valued.

III. EVALUATION FACTORS

A. Knowledge Required by the Position

Knowledge of the PACA and the established rules, regulations, policies and precedents established.

Knowledge of production, marketing, and distribution procedures unique to the fresh and frozen fruit and vegetable industry.

Knowledge of the grading procedures and U.S. grade standards for fruits and vegetables.

Ability to analyze evidence and develop findings and recommendations as a result of investigations under the provisions of the PACA.

Knowledge of various laws relating to business structures, bankruptcy, and state regulatory functions.

B. Supervisory Controls

The incumbent is under the technical and administrative supervision of the Regional or Assistant Regional Director. The incumbent handles routine assignments to a conclusion on own initiative. Work is reviewed for technical adequacy, accuracy, thoroughness, timeliness, and consistency with past practice.

C. Guidelines

Guidelines consist of enabling statutes as well as a variety of Branch, Division, and Agency regulations, policies and procedures. Guidelines also include USDA and court precedent decisions involving contracts, agency, and fair trade practice, as well as bankruptcy laws and various State laws. The incumbent interprets and applies the guidelines to a variety of different situations. The employee adapts the guidelines to

specific cases and one-of-a-kind situations; the employee consults with the supervisor only in matters involving complex issues.

D. Complexity

The work involves resolving highly technical contractual matters requiring knowledge of many aspects of marketing. The work also involves the ability to extract information, obtain evidence, and reach conclusions on data obtained from diverse business records.

E. Scope and Effect

The work product has a direct and substantial impact on fair trade practices in the industry. Large sums of money, and even the right of fruit and vegetable traders to engage in business, can be affected by the recommendations and conclusions of the incumbent.

F. Personal Contacts

The employee maintains contacts with co-workers, other employees of the Branch, Division and Agency; members of the fruit and vegetable industry and related industries, such as truckers and railroad officials; attorneys; other Federal officials; and, state government officials. Contacts are sometimes made under adverse conditions, and incumbent will encounter hostility and occasional aggressive behavior from individuals subject to sanctions under the laws.

G. Purpose of Contacts

The purpose of the contacts are to provide advice on contractual disputes, obtain evidence for administrative and court proceedings, and resolve complaint and license issues.

H. Physical Demands

There are no physical demands required; however, there may be occasional standing, bending, walking, and carrying of relatively light items such as files or business records.

I. Work Environment

The work is performed in an office setting; however, there may be occasional exposure to high-risk situations typical of fruit and vegetable processing plants, distribution warehouses, and storage areas.